

House Amendment to  
Senate File 2320

S-5089

1 Amend Senate File 2320, as passed by the Senate, as  
2 follows:  
3 1. Page 1, after line 29 by inserting:  
4 <b. That if the legal representative of a member  
5 also acts as a provider under a consumer-directed  
6 attendant care agreement or under a community choices  
7 option employment agreement, the agreement shall  
8 include all of the following reasonable safeguards:  
9 (1) That the payment rate for the legal  
10 representative acting as a provider is fair and  
11 reasonable based upon the skill level of the provider  
12 and may not exceed the median statewide reimbursement  
13 rate for the service unless the higher rate receives  
14 prior approval from the department.  
15 (2) That the legal representative acting as a  
16 provider is not paid for more than forty hours of  
17 service per week.  
18 (3) A contingency plan for provision of services  
19 provided by the legal representative acting as a  
20 provider in the event the legal representative is  
21 unable to provide the services due to illness or other  
22 unexpected event.>  
23 2. Page 1, line 30, by striking <b.> and inserting  
24 <c.>  
25 3. Page 2, by striking lines 1 through 10 and  
26 inserting:  
27 <2. The department of human services shall amend  
28 the medical assistance home and community-based  
29 services waivers to replace agency-provided  
30 consumer-directed attendant care services with personal  
31 care services.>  
32 4. By renumbering as necessary.